

**4-967. Custody, support and division of property order attachment.**

**CUSTODY, SUPPORT AND  
DIVISION OF PROPERTY ORDER ATTACHMENT<sup>1</sup>**

**1. CUSTODY**

☐ A. ☐ Petitioner ☐ Respondent shall have temporary legal custody of the following child(ren): \_\_\_\_\_

\_\_\_\_\_.

☐ B. ☐ Petitioner ☐ Respondent shall have physical custody of the above child(ren) at all times, except that ☐ respondent ☐ petitioner shall have contact as follows:

☐ No contact, and stay \_\_\_\_\_ yards from the child(ren)'s school at all times.

☐ Contact at the following specified times:

\_\_\_\_\_

\_\_\_\_\_.

☐ The child(ren) shall be exchanged for visitation at \_\_\_\_\_ on \_\_\_\_\_.

☐ Referred to \_\_\_\_\_ for evaluation or mediation, with appropriate safeguards to protect the parties and allow them to mediate fairly. Contact with the child(ren) is deferred until findings of mediator or counselor.

- ☐ C. Custody, visitation and child support will be continued in accordance with the court order in \_\_\_\_\_ County, State of \_\_\_\_\_, Cause No. \_\_\_\_\_.
- ☐ D. Other \_\_\_\_\_.
- ☐ E. ☐ Petitioner ☐ Respondent shall not hide the child(ren) from the other parent or permanently remove the child(ren) from the State of New Mexico. Neither parent should speak negatively about the absent parent in front of the child(ren) or question the child(ren) about the other parent.
- ☐ F. Each parent shall immediately notify the other parent about any emergency condition of the child(ren).

## **2. PROVISIONS RELATING TO SUPPORT**

- ☐ Temporary support shall be paid by ☐ respondent ☐ petitioner to ☐ respondent ☐ petitioner in the amount of \$\_\_\_\_\_ per month payable \_\_\_\_\_.
- ☐ Respondent ☐ Petitioner shall provide suitable alternative housing to ☐ respondent ☐ petitioner and any child(ren) to whom the respondent owes a legal obligation of support. This shall be provided as follows:
- \_\_\_\_\_
- \_\_\_\_\_.

☐ All child support payments shall be made by check or money order made payable to \_\_\_\_\_ and sent to \_\_\_\_\_.

☐ A separate wage withholding order shall be entered and directed to *(employer)* \_\_\_\_\_, at \_\_\_\_\_ *(address)*.

**3. PROPERTY, DEBTS, PAYMENTS OF MONEY**

☐ Neither party shall transfer, conceal, encumber or otherwise dispose of the other party's property or the joint property of the parties except in the usual course of business or for the necessities of life. Each party shall account to the other party for all such transfers, encumbrances and expenditures made by that party after the order is entered.

This means that you shall not give away, hide, add debt to, sell or pawn the property.

☐ The parties' property shall be temporarily distributed as follows:

\_\_\_\_\_  
\_\_\_\_\_.

☐ ☐ Petitioner ☐ Respondent shall have temporary physical custody of the following physical assets<sup>2</sup>: \_\_\_\_\_

\_\_\_\_\_.

**4. ADDITIONAL PROVISIONS REGARDING CUSTODY, SUPPORT AND DIVISION OF PROPERTY**

IT IS FURTHER ORDERED<sup>3</sup>: \_\_\_\_\_

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**5. EFFECT OF ORDER**

If there is a pending or completed action relating to child custody or child support at the time this order is filed, the court may modify the order, but the portion of the order dealing with child custody or child support must then be transferred to the court that has or continues to have jurisdiction over the pending or prior custody or support action.

This order does not serve as a divorce and does not permanently resolve child custody or support issues.

**6. EXPIRATION**

The provisions set forth in this attachment shall expire on \_\_\_\_\_, \_\_\_\_\_  
(*date*) at 5:00 p.m., unless explicitly extended by court order.

**USE NOTE**

1. This form may be modified as appropriate and attached to an order of protection in any domestic violence proceeding.
2. List personal assets. A separate schedule may be attached to this order.
3. If appropriate, an order providing for restitution may be included in this paragraph.

[Approved, effective November 1, 1999 until July 1, 2001; approved, as amended, effective May 1, 2001.]